

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 5:19-CV-00475-BO

Jason Williams,

Plaintiff,

v.

AT&T Mobility,

Defendant.

Order

Defendant AT&T Mobility LLC has asked the court to enforce subpoenas it issued to Anexio Data Centers, LLC; Anexio Managed Services, LLC; and Anexio, Inc. (collectively the Anexio Entities). The Anexio Entities have not responded to the Motion.

Having reviewed the Motion, the court will grant it in part and deny it in part. The court orders that the Anexio Entities must:

1. Within seven days of entry of this Order, designate in writing to AT&T's counsel a representative or representatives to testify regarding the examination topics set forth in Exhibit A to the subpoena, and identify the topic(s) that each designee will be prepared to cover;
2. Ensure each designee is able to testify as to information known or reasonably available to the Anexio Entities within his or her designated topic(s);
3. Make the designees available for deposition at a date to be scheduled with AT&T, but in no event later than 30 days after entry of this Order; and

4. Produce to AT&T's counsel the documents in their possession, custody, or control that are described in Exhibit B to the subpoenas at least five business days prior to the scheduled deposition;
5. Pursuant to Rule 37(a)(5), the Anexio Entities, jointly and severally, shall reimburse AT&T for its reasonable attorneys' fees and costs incurred in bringing the Motion. AT&T shall submit a statement of such costs and fees to the Court no later than seven days after entry of this order.
6. The Clerk of Court shall serve this order on the Anexio Entities by certified mail, return receipt requested at the addresses listed in DE. 81, 82, and 83.
7. AT&T's counsel shall email a copy of this order to any individuals it has been in contact with at the Anexio Entities.

The court cautions the Anexio Entities that if they fail to comply with this order, the court may find them to be in contempt. A contempt finding may result in the imposition of fines or an order for the arrest and imprisonment of one or more individuals associated with the offending entity.

Dated: October 12, 2021

A handwritten signature in black ink that reads "Robert T. Numbers, II". The signature is written in a cursive, flowing style.

Robert T. Numbers, II
United States Magistrate Judge